

**CALENDAR ITEM
C06**

A 1
S 1

10/16/15
PRC 5449.1
M.J. Columbus

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Tahoe Swiss Village Homeowners Association, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to Assessor's Parcel Numbers 085-020-048 and 085-020-080, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two existing piers, two marker buoys, and 70 mooring buoys.

LEASE TERM:

10 years, beginning October 14, 2015.

CONSIDERATION:

\$27,750 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$2,000,000 per occurrence.

Other:

1. Buoy Allotment Program: The use of the buoy field will be made available to all members of Tahoe Swiss Village Homeowners Association, Inc., in a fair and equitable manner. A buoy allotment program must be maintained during the lease term that will identify how the buoys will be managed, maintained, and distributed for use by the Association's members.
2. If Lessee does not have a valid Tahoe Regional Planning Agency (TRPA) buoy permit, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final

CALENDAR ITEM NO. **C06** (CONT'D)

Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

3. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 5, 2007, the Commission authorized a 10-year General Lease – Recreational Use to Tahoe Swiss Village Homeowners Association, Inc. That lease expires on October 13, 2015. The Applicant is now applying for a General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B-1. Site and Location Map
- B-2. Site and Location Map

CALENDAR ITEM NO. **C06** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Tahoe Swiss Village Homeowners Association, Inc. beginning October 14, 2015, for a term of 10 years, for the continued use and maintenance of two existing piers, two marker buoys, and 70 mooring buoys as described in Exhibit A and shown on Exhibits B-1 and B-2 (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$27,750, with an annual Consumer Price Index adjustment as provided for in the lease; and liability insurance with coverage in an amount no less than \$2,000,000 per occurrence.

EXHIBIT A

PRC 5449.1

LAND DESCRIPTION

Seventy-four (74) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 5 fractional Section 36, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

PARCEL 1– PIER

All those lands underlying existing pier, two (2) sets landings and steps, and two (2) catwalks lying adjacent to Parcel One described in that Corporation Quitclaim Deed recorded December 17, 1966 in Volume 1131 Page 101 of Official Records of said County.

PARCEL 2- PIER

All those lands underlying existing pier, and one (1) catwalk lying adjacent to Parcel Two described in said Deed .

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 3 – BUOY FIELD (72 BUOYS)

Seventy (70) circular parcels of land, being 50 feet in diameter, underlying seventy (70) existing buoys lying adjacent to those parcels as described in said Deed.

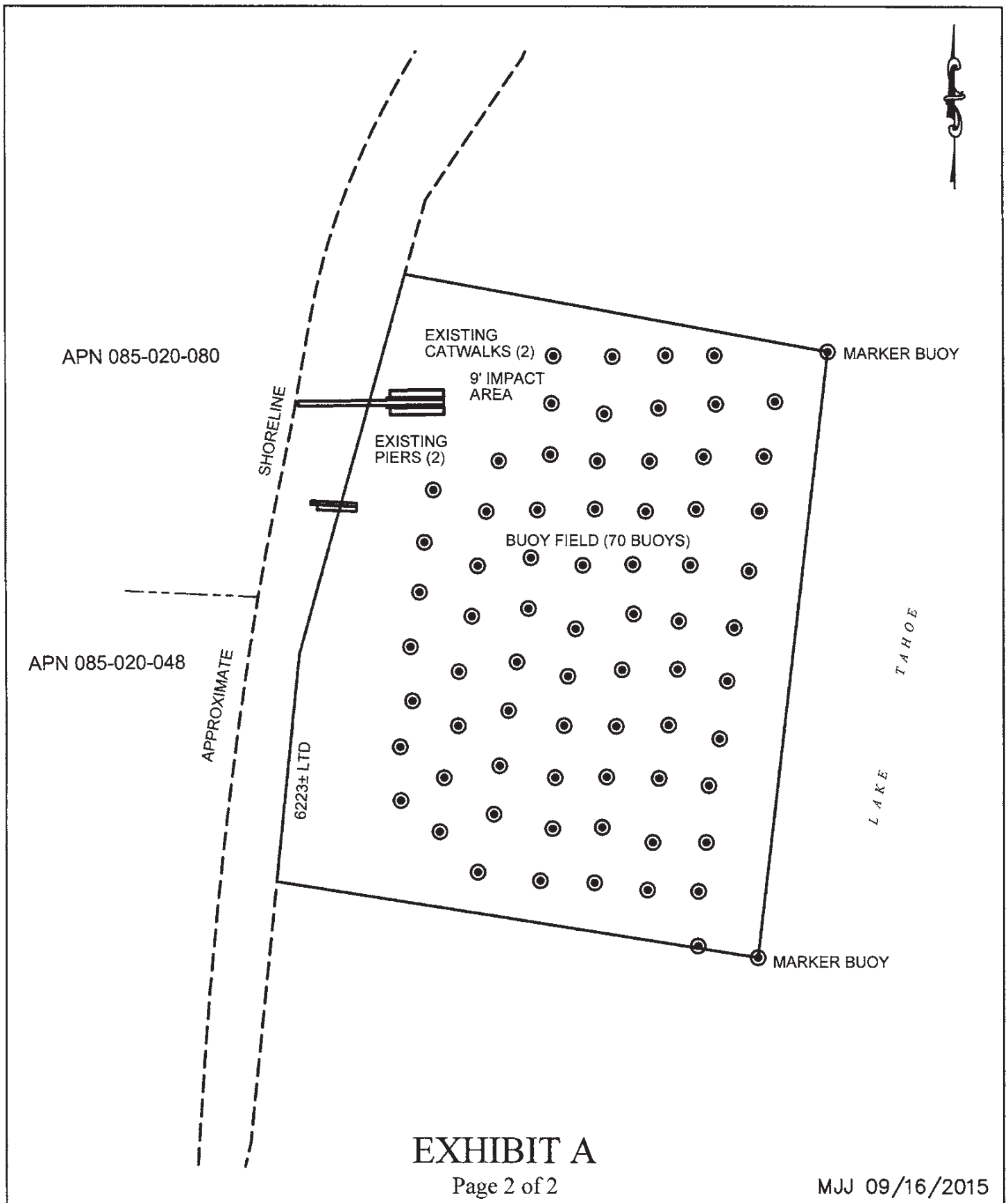
TOGETHER WITH two (2) US Coast Guard marker buoys adjacent to said buoy field.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared September 17, 2015 by the
California State Lands Commission Boundary Unit.





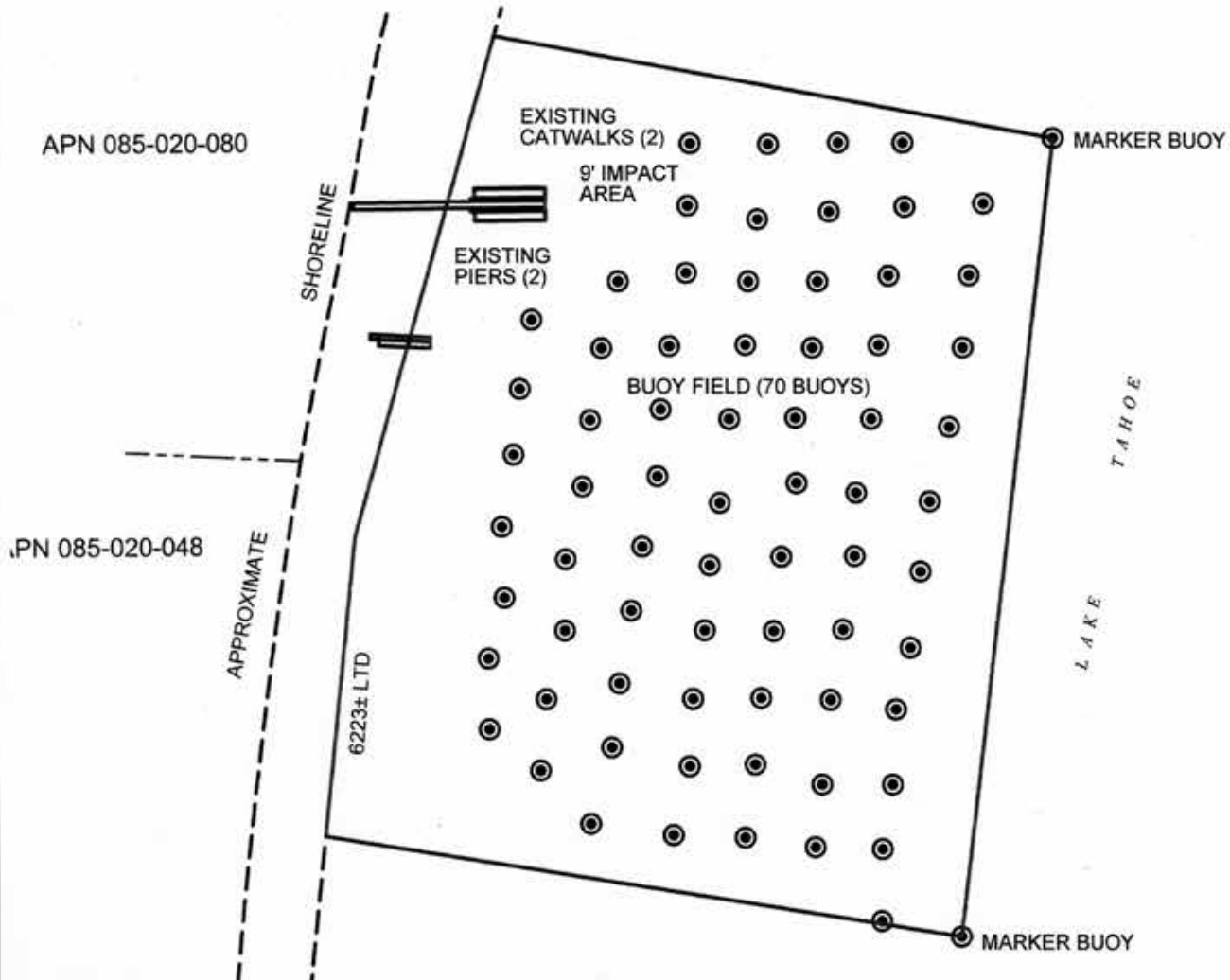
LAND DESCRIPTION PLAT
PRC 5449.1, TAHOE SWISS VILLAGE
HOMEOWNERS ASSOC., INC.
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



TAHOE SWISS VILLAGE HOMEOWNERS ASSOCIATION, INC., NEAR HOMEWOOD

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B-1

PRC 5449.1
TAHOE SWISS VILLAGE
HOMEOWNERS ASSOC. INC
APN 085-020-048 & 080
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



MJJ 09/16/15

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

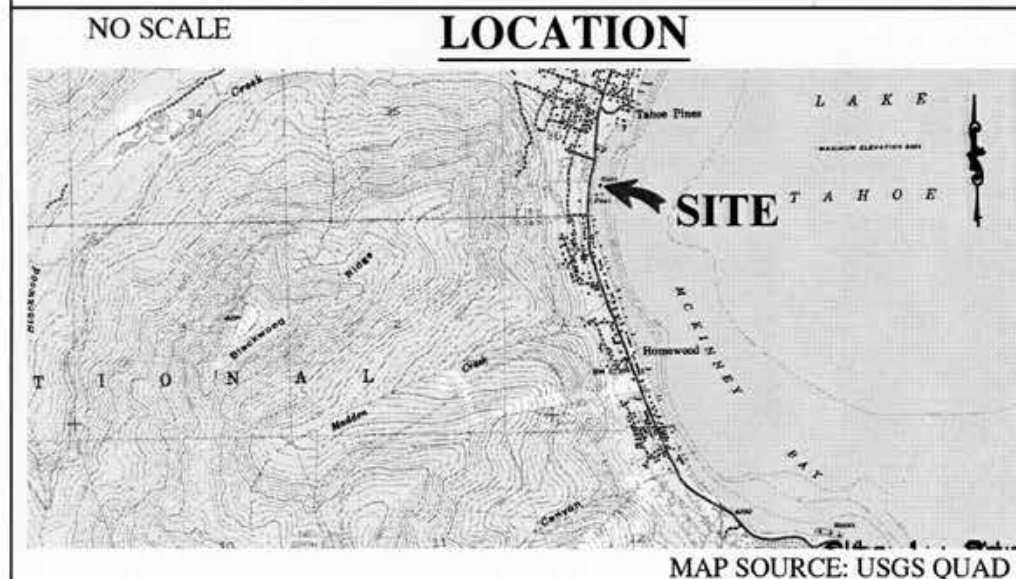
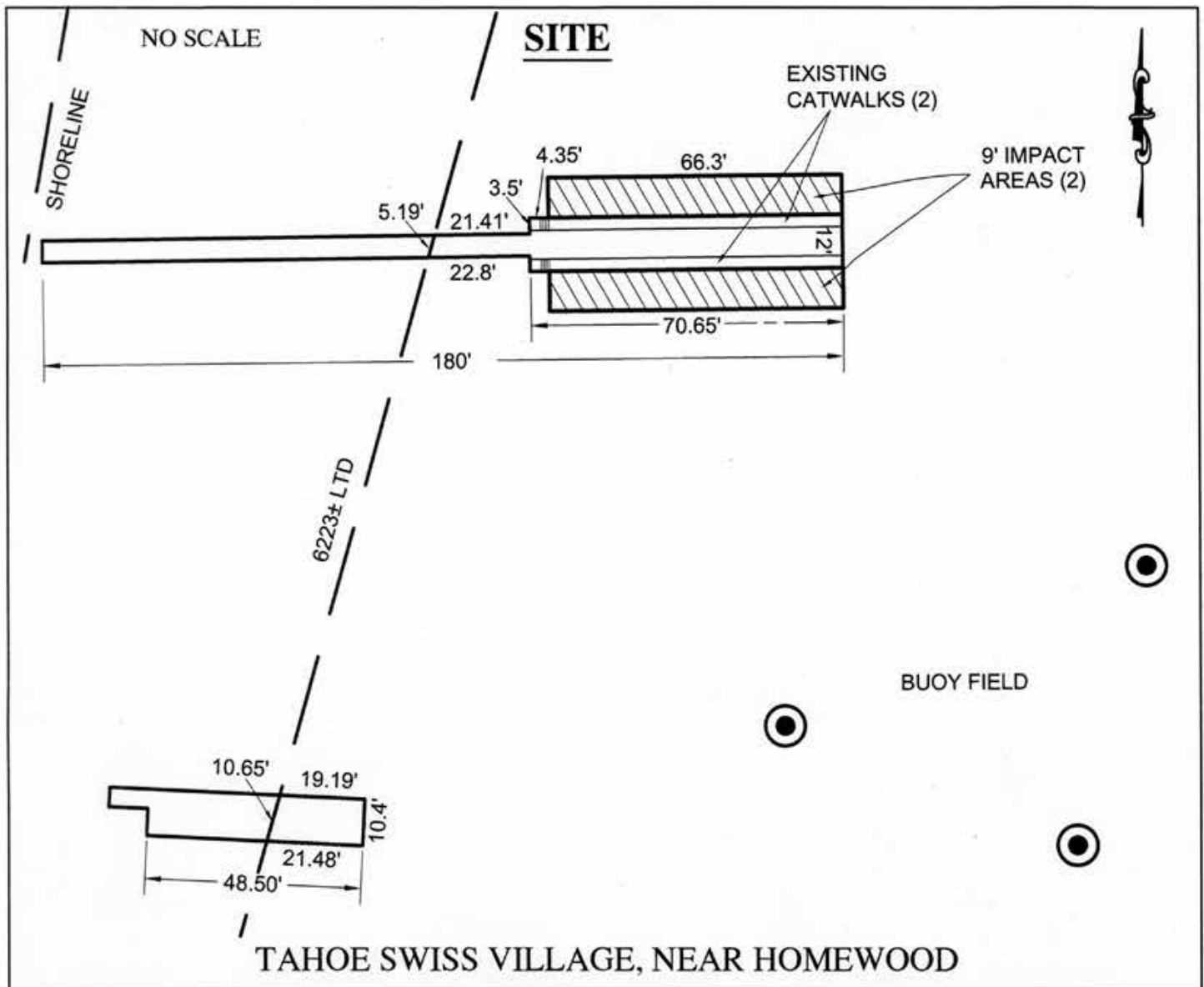
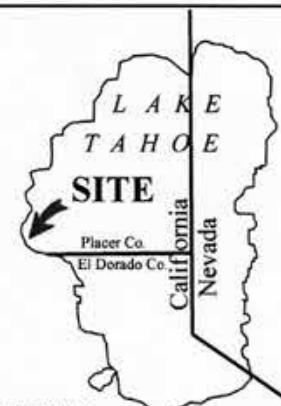


Exhibit B-2

PRC 5449.1
 TAHOE SWISS VILLAGE
 HOMEOWNERS ASSOC. INC
 APN 085-020-048 & 080
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



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MJJ 09/21/2015